

JASON M. FRIERSON
United States Attorney
Nevada Bar No. 7709
MINA CHANG
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Phone: (702) 388-6336
mina.chang@usdoj.gov
Attorneys for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE LUIS MONTOYA,

Defendant.

Case No. 2:18-cr-0233-KJD-NJK

**Government's Unopposed Motion to
Dismiss the Petition for Revocation of
Supervised Release [ECF No. 52] and
Vacate the Status Hearing on Revocation
of Supervised Release**

Certification: This motion is timely filed.

The United States of America, by and through the undersigned, respectfully requests that the Court dismiss the Petition for Revocation of Supervised Release (ECF No. 52) and that the Status Hearing on Revocation of Supervised Release, currently scheduled for April 23, 2024, at 9:30 a.m. (ECF No. 63) be vacated.

On August 30, 2023, United States Probation filed a petition for the revocation of defendant Jose Luis Montoya's supervised release, which alleged violations of defendant's No Alcohol condition. ECF No. 52. At defendant's revocation hearing on September 14, 2023, the Court held defendant's sentencing in abeyance for six months. ECF No. 63.

Since his revocation hearing, defendant has continued under supervision without issue, and his probation officer confirmed that defendant has not incurred any subsequent

1 violations. United States Probation agrees with the government's motion to dismiss, and
2 the defense does not object to the dismissal.

3 As such, the government respectfully requests that: (1) the Petition for Revocation
4 of Supervised Release be dismissed without prejudice; (2) the Status Hearing on
5 Revocation of Supervised Release, currently scheduled for April 23, 2024, at 9:30 a.m.
6 (ECF No. 63) be vacated, and (3) defendant be continued on his current terms of
7 supervision.

8
9 Dated this 17th day of April, 2024.

10 Respectfully Submitted,

11 JASON M. FRIERSON
12 United States Attorney

13 /s/ Mina Chang
14 MINA CHANG
15 Assistant United States Attorney
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE LUIS MONTOYA,

Defendant.

Case No. 2:18-cr-0233-KJD-NJK

[PROPOSED] ORDER

Upon the Government's motion,

IT IS ORDERED that the Petition for Revocation of Supervised Release, ECF No. 52, is hereby dismissed without prejudice; and

IT IS FURTHER ORDERED that the Status Hearing on Revocation of Supervised Release, currently scheduled for April 23, 2024, at 9:30 a.m., ECF No. 63, be vacated; and

IT IS FURTHER ORDERED that defendant Jose Luis Montoya be continued on his current terms of supervision.

DATED this 17th day of April, 2024.



HON. KENT J. DAWSON
UNITED STATES DISTRICT JUDGE